

E. BLAINE RAWSON
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January 28, 2002

SENT VIA:

E-MAIL TO: Microsoft.atr@usdoj.gov
☒ VIA FACSIMILE COPY TO: (202) 307-1454 or (202) 616-9937
☐ 1ST CLASS MAIL TO:

The Honorable Colleen Kollar-Kotally
U.S. District Court, District of Columbia

c/o Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, D.C. 20530-0001

Re: Microsoft Settlement

Dear Judge Kollar-Kotally:

I write to inform you of my support for the position taken by Utah's Attorney General concerning the proposed Microsoft settlement.

It would have been easy for Utah's Attorney General, as a Republican, to join with certain other states in accepting the proposed Microsoft/Justice Department settlement. He has been criticized by some for being anti-free market. However, this case can not be reduced to such simplistic sound bytes. His support for a free market is not at issue. Microsoft was found in violation of law by a court of law. The real question is what action should be taken to prevent similar violations from occurring in the future and what penalty should be imposed upon Microsoft for past violations. The proposed settlement does not appear to reflect the extent of the findings of violation made by the trial court and sustained by the appellate court.

I applaud Attorney General Shurtleff for holding fast to the rule of law, notwithstanding the pressure brought to bear through campaign contributions and by certain public officials who would have him take a position that may not be in the best interest of the citizens of the State of Utah.

If the settlement does not properly terminate present antitrust violations, penalize for past violations, and prevent future antitrust violations, then it should not be adopted. I would prefer this court hold evidentiary and legal hearings and impose a remedy warranted by the facts and

law. In addition, the government should zealously enforce the remedy to avoid future abuses.

Respectfully,



E. Blaine Rawson

cc: The Honorable Mark Shurtleff, Utah Attorney General